

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 15 and 22 have been cancelled.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-14, 16-21, and 23-34 are now pending in this application.

Allowable Subject Matter

Applicants gratefully acknowledge the indication that claims 15-17, 21, and 22 contain allowable subject matter and the allowance of claims 23-25.

Rejection under 35 U.S.C. 102

Claims 1-14, 18-20, and 26-34 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,624,747 (hereafter "Friederich et al."). This rejection is respectfully traversed.

Claim 1 has been amended to incorporate the subject matter of claim 15. Claims 2-14 depend upon claim 1. Applicants submit that claims 1-14 are allowable over Friederich et al.

Claims 18 and 19 have been amended to include subject matter similar to claim 15. Applicants submit that claims 18 and 19 are allowable over Friederich et al.

Claim 20 has been amended to incorporate the subject matter of claim 22. Applicants submit that claim 20 is allowable over Friederich et al.

The top of page 7 of the Office Action discusses claim 22 but it is believed that the examiner reconsidered claim 22 and found claim 22 to be allowable.

Claim 26 recites a controller for a host vehicle which has an object detecting unit that detects an object ahead of the host vehicle, the controller comprising a processor that is adapted to calculate a counterforce of a virtual member in front of the host vehicle which provides feedback to a driver of the host vehicle based on a relationship between the host vehicle and an object ahead of the host vehicle; wherein the processor is configured to delay the timing of providing the feedback to the driver when an intention of the driver is detected. Claims 27-31 depend upon claim 26.

Claim 32 recites a controller for an own vehicle which has an object detecting unit that detects an object ahead of the own vehicle, comprising a processor that is adapted to calculate a counterforce of a virtual member in front of the own vehicle which provides feedback to a driver of the own vehicle based on a relationship between the own vehicle, an object ahead of the own vehicle and an intention of the driver. Claims 33 and 34 depend upon claim 32.

Friederich et al. discloses a method and braking apparatus for preventing a collision of a vehicle with an obstacle, such as another vehicle located in front. See Friederich et al. at col. 1, lines 14-21. Friederich et al. discloses that automatic braking is triggered when a collision with the object in front of the vehicle can no longer be avoided. See Friederich et al. at col. 4, lines 8-12. The method operates by detecting the speed and acceleration of the vehicle, a load state of the vehicle, the steering angle of the vehicle, the relative speed between the vehicle and the object, the amount of headway between the vehicle and the object, and the degree of overlap between the vehicle and the other object. See Friederich et al. at col. 4, lines 13-31. These detected values are supplied to a control unit 60, which determines whether the degree of overlap exceeds a predetermined limit. See Friederich et al. at col. 4, lines 27-37. The control unit 60 also calculates a first headway, representing a headway necessary to avoid a collision by braking, and a second headway, representing a headway necessary to avoid a collision by steering. See Friederich et al. at col. 20-36. If the

detected headway is smaller than both calculated headways, automatic braking is triggered. See Friederich et al. at col. 2, lines 31-36; col. 4, lines 49-54. Friederich et al. discloses that the method takes into account the activity of a driver when calculating the first and second headways by calculating reduced first and second headways. See Friederich et al. at col. 2, lines 16-18; col. 5, lines 20-22, 44-46.

However, Friederich et al. fails to disclose a controller comprising a processor “that is adapted to calculate a counterforce of a virtual member” in front of the vehicle. Friederich et al. teaches that first and second headways are calculated, which correspond to a necessary distance between the vehicle and the object in front of the vehicle, and that automatic full braking is initiated if an actual headway is less than both of the calculated headways.

Friederich et al. does not disclose a controller that calculates a counterforce of a virtual member. Because the control unit 60 of Friederich et al. calculates a distance necessary for braking (a first headway) and a distance necessary for steering (a second headway) and then triggers automatic full braking, the control unit 60 does not calculate a counterforce of a virtual member. Triggering automatic full braking does not anticipate a calculation of a counterforce of a virtual member. Therefore, Friederich et al. fails to disclose all of the features recited by claims 26 and 32.

For at least the reasons discussed above, withdrawal of this rejection is respectfully requested.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

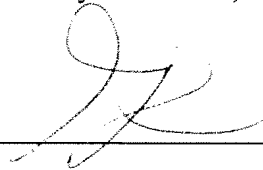
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a

check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 1/4/07

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5426
Facsimile: (202) 672-5399

By 

Glenn Law
Attorney for Applicant
Registration No. 34,371